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SENATE

REPORT
101-504

DIRECTING THE SECRETARY OF THE INTERIOR TO CONDUCT A STUDY OF THE UNDERGROUND RAILROAD

OCTOBER 5 (legislative day, OCTOBER 2), 1990.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 3863]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 3863) to direct the Secretary of the Interior to conduct a study of the Underground Railroad, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 3863, as ordered reported, is to direct the Secretary of the Interior to conduct a study of alternatives for commemorating the Underground Railroad.

BACKGROUND AND NEED

During the period from the 1830's to the end of the Civil War, a secret network of routes, people and hiding places developed to assist slaves escaping to freedom. This network came to be known as the "Underground Railroad." From 40,000 to 100,000 slaves are estimated to have escaped through the Underground Railroad during this period.

Although most of the remains of the Underground Railroad no longer exist, many of the stops along some of the routes are well documented and still exist. Under the proposed legislation, the National Park Service would conduct a study to determine how to best interpret and commemorate the Underground Railroad.

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LEGISLATIVE HISTORY

H.R. 3863, introduced by Congressman Kostmayer, passed the House of Representatives by a voice vote on June 25, 1990. Senator Simon introduced companion legislation, S. 2809, on June 28, 1990. The Subcommittee held a hearing on both measures on September 20, 1990.

At the business meeting on September 26, 1990, the Senate Committee on Energy and Natural Resources ordered H.R. 3863 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on September 26, 1990, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 3863, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman [1]	
Mr. Wirth [1]	
Mr. Conrad	
Mr. Heflin [1]	
Mr. Rockefeller	
Mr. Akaka [1]	
Mr. McClure	
Mr. Hatfield [1]	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles [1]	
Mr. Burns	
Mr. Garn [1]	
Mr. McConnell [1]	

[1] Indicates voted by proxy.

SUMMARY OF THE MEASURE

H.R. 3863 directs the Secretary of the Interior, acting through the National Park Service, to conduct a study of alternatives for commemorating and interpreting the Underground Railroad, the approximate routes taken by slaves escaping to freedom before the end of the Civil War.

The study is to make recommendations concerning establishing a new unit of the National Park System and other appropriate designations, including cooperative arrangements with State and local governments, local historical organizations and other entities. The study is to be completed and submitted to Congress within two years after the date funds are made available for the study.

Within three years after the date of enactment, the Director of the National Park Service is to prepare and publish an interpretive handbook on the Underground Railroad "in the larger context of American antebellum society, including the history of slavery and abolitionism."

The legislation also establishes the Underground Railroad Advisory Committee, to consist of nine members appointed by the Secretary, to consult with the Secretary during the preparation of the alternatives study.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 28, 1990.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3863, an act to direct the Secretary of the Interior to conduct a study of the Underground Railroad, as ordered reported by the Senate Committee on Energy and Natural Resources, September 26, 1990. Assuming appropriation of the necessary funds, implementation of this act would cost the federal government about $250,000 over fiscal years 1991 through 1993.

H.R. 3863 would require the National Park Service to study methods of commemorating the Underground Railroad and would provide for the creation of a nine-member committee to advise the agency on the two-year project. Under Section 3, the agency also would be required to publish an interpretive handbook about the subject within three years of enactment. Finally, Section 5 would authorize the appropriation of whatever sums are necessary for these activities. CBO estimates that the federal government would spend $200,000 over fiscal years 1991 and 1992 to conduct the required study. During 1993, an estimated $50,000 would be spent to publish the handbook.

Enactment of this legislation would have no impact on the budgets of state or local governments.

On June 21, 1990, CBO prepared an estimate on H.R. 3863, as ordered reported by the House Committee on Interior and Insular Affairs on June 20, 1990. The two versions of the bill and their estimated costs are identical.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the committee makes the following evaluation

of the regulatory impact which would be incurred in carrying out H.R. 3863. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 3863, as reported.

EXECUTIVE COMMUNICATIONS

REGULATORY IMPACT EVAUATION

On September 12, 1990, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on H.R. 3863. These reports had not been received at the time the report on H.R. 3863 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DENIS P. GALVIN, ASSOCIATE DIRECTOR, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I am pleased to appear before you today to testify on S., 2809, a bill to direct a study of the Underground Railroad. H.R. 3863 is a similar bill that passed the House of Representatives on June 25, 1990.

The Underground Railroad is an important story in American History and the history of African Americans that merits further recognition and interpretation. The fact that slaves would go to such extraordinary risks, against such odds, for freedom, gave powerful testimony against the propaganda of slaveholders' about the system of slavery. Recaptures of slaves gained great publicity when they occurred in the North, and escaped slaves in the North and Canada became powerful spokespersons for their brethren still in chains.

Both S. 2809 and H. 3863 would direct the Secretary of the Interior, acting through the Director of the National Park Service, to conduct a study of the alternatives for commemorating the Underground Railroad, the approximate route of slaves traveling to seek their freedom. The study would be required to be completed in 2 years. Within 3 years, the bills would require preparation of an interpretative handbook on the Underground Railroad. Finally, the bills would provide for a 9-member advisory committee to advise the Secretary with respect to the study.

The Underground Railroad was, in effect, every route a slave took to freedom. There was no single route, or even a small number of main routes, but a vast web of routes,

often mere paths, moving through fields, swamps, forests, mountains, along rivers, and even by ths sea. Travel was accomplished in conditions of secrecy and usually singly or in tiny groups. The slaves tended to stay off the main roads, usually traveling on foot at night, sometimes with knowledge of only the identity of the North Star. They hid in caves, slept in barns or in fields, and an unknowable number no doubt perished from exposure.It is remarkable testimony that slaves did escape, and some network of dedicated and secretive supporters gave them shelter along the way.

Two National Historic Landmark properties are recognized for their connection to the story of the Underground Railroad. The Levi Coffin House, in Fountain City, Indiana, is known to have been a station on the railroad, and the Harriet Tubman House in Auburn, New York, was her home later in life; Tubman was the "Moses" of the Underground Railroad, having led over 300 slaves to freedom.

The National Park Service has not completed a study of sites which may have been associated with the Underground Railroad, and strongly believes this important research should be completed first, and allowed to direct the analysis of alternatives for preserving and interpreting this important story. Because there was no one trail, and it was not a public way, after completion of the research, the Park Service would prefer to consider many alternatives, which could include for example a collection on relevant existing historic structures in one city, such as Philadelphia, or a collection of relevant historic structures across a wide geographical area illuminating the diversity of the system. The alternatives could include a trail representative of the many different routes, or an automobile tourway linking a self-guiding trail interpreted through a booklet.

The National Park Service is currently developing a system for setting priorities for resource studies. Although this system has not been finalized, we believe that the Underground Railroad would be a high priority candidate. A study of the Underground Railroad would involve a significant chapter in American history that is not well represented in the National Park System; these sites are geographically and thematically diverse; interpretive and public use potential appear high; the study would support administration initiatives for protecting sites with special importance to minority groups; and there could be many locations near metropolitan areas, another high priority for this administration.

Mr. Chairman, we support the goals of S. 2809 and H.R. 3863. We prefer, however, the language in the House bill that makes the deadlines contingent upon funds for the required work being made available. Funds for these purposes would be subject to the normal priority-setting budgetary process.

This completes my prepared comments. I will be pleased to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act, H.R. 3863, as ordered reported.

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